

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC)	
CORPORATION FOR TERMINATION OF)	CASE NO.
CONTRACTS AND A DECLARATORY ORDER)	2018-00146
AND FOR AUTHORITY TO ESTABLISH A)	
REGULATORY ASSET)	

ORDER

On May 1, 2018, Big Rivers Electric Corporation (“Big Rivers”) filed an application, which, among other things, requests a declaration from the Commission finding that the Station Two Generating Station (“Station Two”) is no longer capable of normal, continuous, reliable operation for the economically competitive production of electricity, as that phrase is used in the 1993 and 1998 amendments to the series of contracts originally executed on August 1, 1970, among Big Rivers, the City of Henderson, Kentucky, and City of Henderson Utility Commission. Big Rivers’ application also requests a finding from the Commission authorizing Big Rivers to continue to operate Station Two under the terms of the relevant contracts to allow the City of Henderson time to make alternate arrangements for the operation of Station Two and for the City of Henderson’s power supply needs, to the extent the City of Henderson desires that Big Rivers do so. Lastly, Big Rivers requests authority to establish a regulatory asset to defer the expenses relating to the termination of the relevant contracts.

On May 22, 2018, the City of Henderson, Kentucky and Henderson Municipal Power & Light filed comments in response to Big Rivers' application.

The Commission, upon its own motion and pursuant to 807 KAR 5:001, Section 19, HEREBY ORDERS that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.

2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record, and the original and eight copies to the Commission.

b. Each response shall be under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Any party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that the personal information cannot be read.

3. Big Rivers shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time publication is requested, Big Rivers shall forward a duplicate of the notice and request to the Commission.

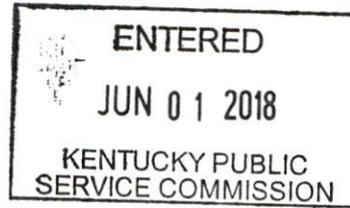
4. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

5. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

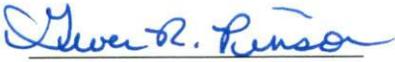
6. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

7. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2018-00146 DATED **JUN 01 2018**

Requests for intervention shall be filed no later than	06/08/18
Initial requests for information to Big Rivers Electric Corporation ("Big Rivers") shall be filed no later than	06/18/18
Big Rivers shall file responses to initial requests for information no later than.....	06/28/18
Supplemental requests for information to Big Rivers shall be filed no later than	07/11/18
Big Rivers shall file responses to supplemental requests for information no later than	07/20/18
Intervenor testimony, if any, in verified prepared form, shall be filed no later than	07/30/18
Requests for information to Intervenors shall be filed no later than	08/08/18
Intervenors shall file responses to requests for information no later than.....	08/20/18
Big Rivers or any Intervenor shall request either a hearing or that the case be submitted for decision based on the record no later than	08/27/18

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